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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

Application of: John C. Reed

FEB 13 2001

Application No.: 09/724,425

Group Art Unit: 1635

TECH CENTER 1600/2800

Filed: November 28, 2000

Examiner: To be assigned

For: REGULATION OF BCL-2 GENE
EXPRESSION

Attorney Docket No.: 10412-026

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.56 AND §1.97**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references known by Applicants or their attorneys to be material to patentability of the claimed invention, Attorneys for Applicant hereby direct the Examiner's attention to references AA through CD which are listed on the accompanying Revised Form PTO-1449.

The above-identified application is a continuation-in-part of U.S. Patent Application Serial No. 09/375,514 filed August 17, 1999, which is a continuation application of U.S. Serial No. 09/080,285 filed May 18, 1998 and issued as U.S. Patent No. 6,040,181, which is a continuation application of U.S. Serial No. 08/465,485 filed June 5, 1995 and issued as U.S. Patent No. 5,831,066, which is a continuation application of U.S. Serial No. 08/124,256 filed September 20, 1993, which is a continuation-in-part application of U.S. Serial No. 07/840,716 filed February 21, 1992, which is a continuation-in-part application of U.S. Serial No. 07/288,692 filed December 22, 1988. References AA through CD are of record in U.S. Patent Nos. 5,734,033, 5,831,066 and 6,040,181. Therefore, pursuant to 37 C.F.R. § 1.98(d), copies of these references are not submitted herewith. However, if the Examiner would prefer, copies of these references will be made available to the Examiner upon request.

Identification of the above-listed references is not to be construed as an admission of Applicant or Attorneys for Applicant that such references are available as "prior art" against the instant application. Consequently, Applicant respectfully declines to use Form PTO-1449 since that form identifies all references cited therein as "Prior Art." As an alternative, Applicant submits herewith a "Revised Form PTO-1449" entitled "List of References Cited."

Applicant respectfully requests that the Examiner review each of the references identified on the attached Revised Form PTO-1449, and that the references be made of record in the file history of the above-captioned application.

Pursuant to 37 C.F.R. § 1.97(b)(3), since this Information Disclosure Statement is being submitted before the mailing date of a first Office Action on the merits in connection with the instant application, no fee is believed to be due. However, should the Patent and Trademark Office determine that a fee is required, please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A duplicate of this document is enclosed for accounting purposes.

Respectfully submitted,

February 5, 2001
(date)

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Enclosure

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